



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

OCT 14 2009

Elizabeth Dyer
Natural Resource Specialist
US Bureau of Reclamation
Central California Area Office
7794 Folsom Dam Road
Folsom, CA 95630

Subject: Draft Environmental Impact Statement for Bureau of Reclamation/El Dorado
County Water Agency Central Valley Project Water Service Contract

Dear Ms. Dyer:

The U.S. Environmental Protection Agency (EPA) has reviewed the above-referenced document pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act.

Based upon our review of the Draft Environmental Impact Statement (DEIS), we have a Lack of Objections (see enclosed "*Summary of Rating Definitions*") to the Proposed Action, a new Central Valley Project (CVP) Municipal and Industrial (M&I) water service contract between the Bureau of Reclamation (Reclamation) and El Dorado County Water Agency (EDCWA). The new contract would provide a total of 15,000 acre-feet per year (af/yr) of water from Folsom Reservoir, or from an exchange on the American River upstream from Folsom Reservoir, for the El Dorado Irrigation District (EID) and the Georgetown Divide Public Utility District (GDPUD) under subcontracts with EDCWA.

EPA concurs with the Preferred Alternative 2A which would allocate 7,500 af/yr each to EID and GDPUD, which minimizes adverse effects on aquatic resources and sensitive species in the North Fork American River below the American River Pump Station (proposed point of diversion for GDPUD) (p. 5-61). The quantity of water diverted should be explicitly conditioned on availability of water after meeting water quality and environmental purposes. The FEIS and proposed contract should demonstrate how meeting water quality and environmental purposes first will be implemented and assured.

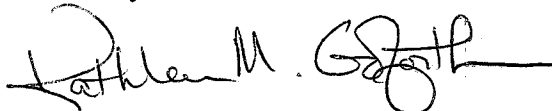
While EID has decreased their system losses to less than 15 percent, the DEIS clearly states that GDPUD still experiences canal losses approximating 30 percent annually. Significant increases in agricultural water delivery efficiencies and, thus, a potential increase in water for other uses are feasible by reducing the raw water conveyance losses through full canal/ditch encasement, especially in the GDPUD service area (p. 3-27). We urge Reclamation to work with

GDPUD and EID to aggressively pursue increased water conservation and the reduction of raw water conveyance losses. A commitment to water efficiency actions should be made in the Water Conservation Management Plan required by Reclamation before commencement of water diversions. The FEIS should include a summary of the water conservation commitments made by GDPUD and EID, and the measures they will take to significantly reduce their water system losses.

The DEIS contains a detailed description of the applicability of the CALSIM II model for determining hydrological effects of this project. It states repeatedly that the CALSIM II model was never designed to evaluate small-scale, less than 100,000 af, changes in system hydrology (pps. ES-14, 5-6). Given the caveats regarding applicability of the CALSIM model used to evaluate hydrological effects, we recommend a robust hydrological monitoring and reporting plan be included in the FEIS, and as a water service contract requirement, in order to validate assumptions and conclusions regarding effects on hydrology, water quality, fish, riparian areas, and other resources. An adaptive management plan should also be included to ensure prompt management response in the event monitoring exposes adverse hydrological impacts not predicted by the CALSIM II model.

We appreciate the opportunity to review this DEIS. When the FEIS is released for public review, please send one (1) hard copy and one (1) CD ROM to the address above (mail code: CED-2). If you have any questions, please contact me at (415) 972-3521, or contact Laura Fujii, the lead reviewer for this project. Laura can be reached at (415) 972-3852 or fujii.laura@epa.gov.

Sincerely,



Kathleen M. Goforth, Manager
Environmental Review Office
Communities and Ecosystems Division

Enclosures: Summary of Rating Definitions

Cc: Tracey Eden-Bishop, El Dorado County Water Agency
Steve Thompson, US Fish and Wildlife Service
Office of the General Manager, El Dorado Irrigation District
Office of the General Manager, Georgetown Divide Public Utility District

SUMMARY OF EPA RATING DEFINITIONS*

This rating system was developed as a means to summarize the U.S. Environmental Protection Agency's (EPA) level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the Environmental Impact Statement (EIS).

ENVIRONMENTAL IMPACT OF THE ACTION

"LO" (Lack of Objections)

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

"EC" (Environmental Concerns)

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)

The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

"EU" (Environmentally Unsatisfactory)

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

ADEQUACY OF THE IMPACT STATEMENT

"Category 1" (Adequate)

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

"Category 2" (Insufficient Information)

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

"Category 3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640, Policy and Procedures for the Review of Federal Actions Impacting the Environment.